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8 ATTORNEYS FOR PLAINTIFFS
WINDSOR AUCTIONS, INC. AND
9 JEWELRY AUCTIONS, INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12
13 WINDSOR AUCTIONS, INC., a Florida
corporation, and JEWELRY AUCTIONS,
14 INC., a Florida corporation,

15 Plaintiffs,

16 v.

17 EBAY INC., a Delaware corporation,

18 Defendant.

CASE NO. C07 06454 RMW (PVT)

DECLARATION OF GREGORY SKIBBEE
IN SUPPORT OF PLAINTIFFS'
MEMORANDUM OF POINTS AND
AUTHORITIES IN OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS

Date: April 11, 2008
Time: 9:00 AM
Judge: Hon. Ronald M. Whyte

19
20 I, GREGORY SKIBBEE, declare:

21 1. I am the Chief Executive Officer for both Windsor Auctions, Inc. and Jewelry
22 Auctions, Inc., plaintiffs in this action. I have personal knowledge of the facts stated herein
23 except as to those which are stated on information and belief, and as to those, I am informed and
24 believe that they are true. If called as a witness, I could and would testify competently to the
25 same in a court of law.

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CASE No. C07 064 54 RMW (PVT)

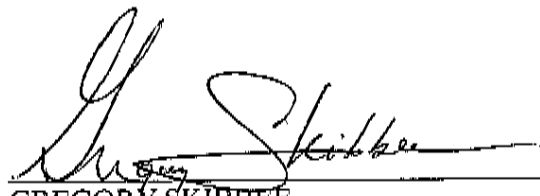
1 2. Attached hereto as Exhibit A is a press release I located on the Internet at
2 <http://www.liveauctioneers.com/pr/july1604.html>. This press release, dated July 16, 2004,
3 heralds the "significant marketing partnership agreement" between Live Auctioneers and eBay
4 Live Auctions, and states that the two entities will work in "close association [...] providing
5 clients with encoded online catalogs and access to a full suite of marketing and tracking tools."

6 3. I signed the agreement dated April 26, 2005, between eBay Inc. and Windsor
7 Auctions, Inc. (the "eBay-Windsor Agreement"). I am informed and believe that eBay has
8 submitted the eBay-Windsor Agreement to the Court under seal. The eBay-Windsor Agreement
9 references a tool called "Mr. Lister." I am informed and believe that Mr. Lister is now named
10 Turbo Lister. On February 17, 2008, B. Dean Gonzalez, an eBay Live Auctions Account
11 Specialist, sent to me by e-mail eBay's manual for using Turbo Lister for Live Auctions.

12 4. Based on my use of the Mr. Lister/Turbo Lister software and the manual provided
13 to me by Mr. Gonzalez, an eBay Live Auctions Account Specialist, it is my understanding that
14 Mr. Lister/Turbo Lister is eBay's software product supplied to Live Auctions customers for use
15 in inventory control and bulk uploading of auction catalogs, and is required for use of eBay Live
16 Auctions.

17
18 I have personal knowledge of the facts stated above except as to those which are stated on
19 information and belief, and as to those, I am informed and believe that they are true. If called as
20 a witness, I could and would testify competently to the foregoing in a court of law. I declare
21 under penalty of perjury under the laws of the State of California that the foregoing is true and
22 correct.

23 Executed this 21st day of March, 2008.

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GREGORY SKIBBEE

CASE No. C07 064 54 PVT

DECLARATION OF GREGORY SKIBBEE

EXHIBIT A

You are logged in as an auction client of LiveAuctioneers **manage your online auctions.**

LiveAuctioneers and eBayLiveAuctions solidify marketing partnership agreement

July 16, 2004

NEW YORK - LiveAuctioneers.com has signed a significant marketing partnership agreement with eBayLiveAuctions.com. Under the terms of the agreement confirmed on July 16, LiveAuctioneers will work in close association with eBayLiveAuctions, providing clients with encoded online catalogs and access to a full suite of marketing and tracking tools.

"This is great news for us after 18 months of hard work, providing our clients with 'round the clock customer support,'" said LiveAuctioneers.com's CEO, Julian Ellison. "Before, eBayLiveAuctions and LiveAuctioneers were operating on a handshake. Now we have an ongoing year to year contract that is automatically renewable."

Based on its strong past performance, LiveAuctioneers now also becomes a partner in eBayLiveAuctions' seller referral program, wherein eBayLiveAuctions refers auction houses and dealers requiring online sale support directly to LiveAuctioneers.com.

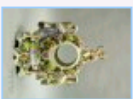
LiveAuctioneers.com is the leading provider of live auction events on eBayLiveAuctions.com, and services more than 160 clients in the United States and United Kingdom, including Sotheby's New York, Freeman's, Skinner and Lyon & Turnbull.

Contact: LiveAuctioneers.com

Tel.: (212) 844 9521

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Hot live items



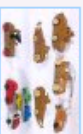
[French Meissen-styl..](#)



[Group of Nine Belle..](#)



[Kingsbury \(USA\) Pre..](#)



[NETTE - 7 Barday V..](#)



[Dance Rattle and An..](#)



[Matchbox MOY - A Gr..](#)



[NETTE - Rare Olive ..](#)